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09/647,906	01/17/2001	Christophe Reynard	VAL-491-A	5965

7590

10/09/2003

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EXAMINER

ABRAMS, NEIL

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 10/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/647906

Applicant(s)

Examiner

Group Art Unit

2839

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 8-25-03 (E/A 8-21)
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-11 is/are pending in the application.
- ☐ Of the above claim(s) is/are withdrawn from consideration.
- ☐ Claim(s) is/are allowed.
- ☒ Claim(s) 1-11 is/are rejected.
- ☐ Claim(s) is/are objected to.
- ☐ Claim(s) are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_ ☐ Interview Summary, PTO-413
- ☒ Notice of Reference(s) Cited, PTO-892 ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948 ☐ Other \_\_\_\_\_

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In Remark, submission of a copy of a French patent is noted, but none is present in these papers. A copy the patent should be supplied in next response.

Spec. Page 4, line 18, "means" should be changed to --means formed by gap 17 -- ~~or~~  
equivalent and " (section 17)" should be deleted. This would provide proper basis for claim 10 limitations.

Claim 10, line 3 is unclear.

New spec is objected to; page 3, line 12 "to the right" seems incorrect, should it be --  
above, lines 26, 27 are unclear, no such recesses are seen, page 4, lines 2-4 are not based on any  
details in the figs, and "Accordingly---removed" is unclear, lines 14-21 refer to features with no  
relationships to actual details that produce the recited functions.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the (claim 1, plastic over-molding surrounds "the radiator", claims 4 "means for allowing removal of condensation, claim 5 "directly soldered" feature and claim 9, means for passage of wires must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

While each one is mentioned in the spec exact structure is not shown in figs or discussed in detail in the spec. For claim 1, no figure clearly show molding 9 to "surround" radiator 7. In

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fig 2 it appears that if parts 7, 9 were joined, part 7 would be below part 9 rather than be surrounded by part 9. Only the bump portion that supports component 8 might be surrounded by overmold 9.

Remarks page 15, refers to "a patch--- lid 12" but just how this allows water to be removed is unclear. On page 16, lines 1-8 applicant refers to wire connections being known. However, this does not avoid the objection that the drawings do not show this feature or show any opening in wall 10 that would enable wire connection of insert 6 to pcb CI or <sup>to</sup> components 8.

Drawings are objected to as improper. Fig 1 is unclear and does not properly show details of the invention as these are understood from fig 2. In fig 2, numeral 8 should be added and raised part of the radiator (for component 8) clearly shown and might be accorded a numeral.

Fig 3, is unclear, in that part 9 is shown entirely differently than in fig 2 with no reason given for such difference.

For fig 1, a schematic sketch is provided that might be used as a basis for a new fig 1 or an added figure to be prepared, but note that molding 9 is not shown to surround radiator 7 therefore this figure would not support claim 1. If used <sup>the</sup> caps F, 12a, 12b could be added. It is also noted that fig 1 even if accurate in detail, fails to provide a clear disclosure of the features at issue and does not provide basis for claim limitation discussed above.

Claims 2, 5, 6 7 are 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 5, "the power components" lacks antecedent basis, claim 6, "the components" of the card and of the plate lack antecedent basis. Claim 2, line 2, "receive an" should be --receive said-- and "wiper blade" seems incorrect and is unclear, should it be --said brass insert -- Claim 7 "the housing" has no antecedent basis.

Claims 1-11 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claims are based on non-enabling disclosure for reasons noted with regard to the figures and as discussed below.

For claim 1, just how the over molding is to "surround the radiator" is unclear, fig 1 is confusing in this regard and fig 2 does not show such arrangement..

For claims 4, 5, 9, exactly what structural details are involved is unclear and therefore just how device is to function is not properly disclosed.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5, 7, 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Strobl in view of Siebold, Sano, Bumemberg and Archer.

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Strobl discloses a unit read as a brush holder plate with inserts 19, pcb 24 and molded body 14. The inserts 19 are not of brass and no radiator is shown.

Use of brass for brush holders is admittedly known and also shown by Blumberg. Use of heat sinks or radiators shown by Sano at 10, and Archer at 72, 260. Obvious to use these in Strobl, brass being typical in electrical devices and heat sinks used to prevent damage to components.

Claims 7, 8 is not seen to be at issue since not discussed in summary, and further use of flaps or latches taught by Siebold at 62, 34 and Blumberg at 57, 63. Obvious to use these in Strobl for easy attachment of 10 to 14. Claim 11, specific use does not define over Strobl automotive use.

Claims 9, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strobl in view of Sano, Blumberg, Archer, Knappe and Schneider.

Patents are applied as above. For claims 9, 10, Strobl lacks disclosure of wire passage or of gap for mounting a connector. Knapp, fig 1, shows a wire passage through the housing; Archer at 78 discloses means for wire passage. Schneider discloses a connector module for power at 25, 26. Obvious to use such features in Strobl assembly for enabling power supply to the brushes and/or pcb.

Claims 1, 2, 6 are ejected under 35 U.S.C. 103(a) as being unpatentable over Adam in view of Blumberg and Sano.

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Adam system includes brush 4.5 holder and card 4 all surrounded by plastic parts 1, 3, which together form a molding. Obvious to use Blumberg type brass for guide (insert) 4.7 of Adam and to add a heat sink to the pcb as in Dano at 12. Term "over molding" as used in this case readable on molded parts like 1, 3, of Adam. Part 3 includes a partition where it engages pcb 4 in fig. 1. The claim does not define over the <sup>being</sup>pcb on both sides of the partition.

Any inquiry concerning this communication should be directed to N. Abrams at telephone number (703) 308-1729.

N ABRAMS/pj

10/06/03

  
NEIL ABRAMS  
EXAMINER  
ART UNIT 322

